

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE
PURSUANT TO § 5K1.1, UNITED STATES SENTENCING GUIDELINES

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above-captioned motion, and as reasons therefore, submits the following:

1. Defendant entered a plea of guilty pursuant to a plea agreement under Rule 11(c)(1)(C) to an indictment charging a violation of Title 21, United States Code, Section 846.
 2. Defendant agreed to cooperate with the Government in the instant cause and in subsequent investigations as necessary, and to waive the rights to appeal or collaterally attack the guilty plea or sentence.
 3. The United States submits the defendant has cooperated with the United States and has abided by the terms of the plea agreement. The assistance provided by the defendant should be considered substantial.
 4. The United States respectfully requests a 4 level downward departure under §5K1.1 U.S.S.G., which is in accordance with the plea agreement and that the court impose a term of 71 months imprisonment.

Respectfully submitted this the 19th day of December, 2006.

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UNITED STATES ATTORNEY

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ASB-1176-O73T

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CR. NO. 2:06-cr-148-WHA
)
JEREMY MORGAN)

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: William Blanchard, Esquire.

Respectfully submitted,

/s/Terry F. Moorer
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